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HOW SWEDEN IS GOVERNED

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PREFACE

This is a short brochure on the constitutional and administrative system of *Sweden*. The purpose of this description is to provide our countrymen, specially the student-world, with a picture of *Swedish* executive, legislature and judiciary. It also throws light on some other important aspects of local and central administration of *Sweden* and presents an authentic account of its role in international affairs.

It may be added that the entire or most of the material of this brochure is based on the fact sheets, reference papers and other official publications supplied to us by the *Swedish* Embassy or Government. The volume narrates the whole matter, just as it is described in the official publications of the concerned Embassy or Government. Only the sequence has been arranged to make it easier for the reader to understand the subject matter. We are extremely grateful to the *Swedish* Embassy for generously providing us with the material of our interest and extending co-operation in every respect.

It need hardly be added that the publishers do not claim or acknowledge any responsibility for the views expressed or matter described in the volume.

Once again we express our gratitude to the *Swedish* Embassy for supplying us material of our interest and extending their kind co-operation.

Publishers

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1

INTRODUCTION

Sweden is the largest of the Nordic countries in both population and land area. A long frontier runs along the Scandinavian mountain range in the west, dividing Sweden from Norway, while a shorter line in the North-east separates Sweden from Finland. Both of these boundaries cut, for the most part, through barren land and sparsely populated areas. In the southwest, the Sound separates Sweden from the fourth Nordic country, Denmark. In land area, Sweden is the fourth largest country in Europe.

Sweden (and the entire Scandinavian peninsula) lies in the path of the Gulf Stream, endowing it with a temperate climate despite its northern location. Precipitation which is generally adequate for agricultural purposes, is heaviest in western Sweden and lightest in the south-eastern areas. Because of the country's elongated shape from south to north, the growing season varies from a maximum of about 8 months in the southern province of Skane to 3 or 4 months in northernmost Lapland. The short summers in the far north however, are partly compensated by the daylight prevailing almost round the clock for a few weeks in summer.

Topography

Sweden's bedrock is very ancient. The granite and gneiss of which it largely consists belong to the earth's oldest geological formations. The Caledonian mountain range that composes the country's western spine was also heaved up during an early phase of the earth's development, after which it eroded. The whole area then erupted anew and its relief was regenerated. The highest elevations consist of a magnificent mountain landscape where the plateaus are incised by deep valleys gouged out long ago by glaciers. The land slopes slightly from the northwest toward the southeast and it is in this direction that the mighty northern rivers flow, creating in their path countless rapids and waterfalls. Most of the waterfalls are now exploited to provide electric power but those that have been spared make wonderful tourist attractions.

The great Ice Age helped form the details of Sweden's land surface, as the ice melted the large ridges of boulders and moraine were created, together with the clay flats that are also the characteristic features of the Swedish landscape. At the end of the Ice Age the land continued to rise from the sea, mostly in the north, where it rose about 100 centimeters each 100 years, but also in the Stockholm

region, at a rate of about 40 centimeters each century. Along the coasts are found extensive archipelagos where the ancient mountain ranges lie submerged in the sea.

The archipelagos and the long sandy beaches that stretch mile after mile along Sweden's west coast from the province of Holland and down around all of Skane, along the Island of Gotland and along extensive reaches of the Norrland coast, make up the country's principal recreation areas. Fine opportunities for outdoor life are also provided by Sweden's thousands of inland lakes. The mountain regions in Norrland are increasingly appreciated as recreation and vacation areas for both winter sports and summer hiking.

National parks have been created to protect natural landscapes that as yet have not been affected by exploitation and excavation. Most of these lie in northern mountain areas, especially Lappland (Abisko, Stora Sjofallet and Sarek), but they are also found in regions farther south. Two of the most attractive are the unusual "Blue Maiden" National Park in the northern part of the Kalmar Sound and the Gotska Sand Island National Park with its dunes and forest.

Sweden's topography includes many varieties of landscape, such as the gentle, open plains of Skane and Ostergotland, the extensive flat, mossy terrain of Smaland and Norrland, and the level limestone plateaus of the islands Oland and Gotland. The different provinces may display blue, pineclad mountains as in Dalarna, or enormous dark forests, as in Narraao.

The mountain range in the far north includes snow covered peaks and glaciers, and in the summertime a sparse mountain flora above the timberline.

Soil Water and Natural Resources

Farmlands cover only 9% of Sweden's surface and the fertility of the soil varies. Good land for cultivation is found in the clay lime-rich soil of southwest-in Skane and in the Falan area of Western Sweden and around the large inland lakes. Even the hard clay soil of Central Sweden is fertile but it requires effective drainage. Lighter sandy soil is found on the coastal flats and on Gotland. Moraine land prevails in large areas of the country and it is generally unsuitable for cultivation.

The waters off the sea coasts contain relatively large amounts of fish including common herring, Baltic herring, cod, eel and salmon.

Forests primarily of pine cover more than half of Sweden's land area and comprise one of the country's most important natural resources. Predominating in the southernmost provinces are leafy woods including stands of beech and oak. The forests are the basis of a large sector of Sweden's export industries namely wood, cellulose and paper. Another important sector steel and metal products is based on the country's rich mineral deposits. The largest of these are to be found in the Kiruna region of northern Lapland and in the Bergslagen district of central Sweden.

Settled Areas and Inhabitants

Rural settlements in Sweden in the past consisted of villages and single farms. During the sweeping land reforms of the 19th century the villages were either split up or greatly changed and today they remain only as clusters of farms. The most common type of dwelling in rural areas is the private farm. In certain districts numerous remnants of the older building arrangements give the landscape a character of its own. This is true for instance of the farm houses built around a square courtyard in Skane of the

irregular placement of red or grey farm houses in Falarna and of the highgabled limestone structures in Gotland These unique features are gradually disappearing replaced by farmhouses of a modern villa type and large efficient utility buildings. Sweden has relatively few castles and mansions most of those that exist being located in Skane and in the Lake Malar region Other types of rural societies include the mining towns the foundry villages, the railroad station settlements and industrial areas of various kinds

The internal migration of the population has meant a continuing concentration in the larger urban areas, with their various commercial and manufacturing enterprises The most heavily urbanized districts are Stockholm Gothenburg and the areas around the Sound

The number of inhabitants in Sweden is 19 per square kilometer of land In relation to other European countries this density is low During the 1950's the density in the cities increased from 155 to 165 inhabitants per square kilometer, while in provincial communities it remained at 8

The rural population is concentrated in the cultivated areas namely the plains of Skane and Halland, the Lake Malar district, Ostergotland Vastergotland, the river valleys in Dalarna and northward, in Varmland, and in the Gota River Valley Population centres are found throughout the country but are especially large and numerous in the lowlands of central Sweden and in Skane Population centres in the internal regions of Norrland are few and far between, and the total population there is small The number of population centres with at least 200 inhabitants is 1819, and together they comprise nearly 78% of Sweden's total population, which in 1969 is 7,950 000 Of urban residents, 40% live in the large population centres with more than 50,000 inhabitants

Swedish population statistics are unique in the world in that they permit population development to be traced from a point more than 200 years ago up to the present time. During the 1820's the mortality rate began to fall and the population increased rapidly. The primarily agrarian society of the time was unable to absorb the excess of workers and the result was the great emigration that began in the middle of the 19th century and continued to the 1920's. More than a million Swedes emigrated mainly to the USA. During the 1880's the high birth rate began to diminish first relatively slowly but from 1910 on with increasing rapidity. During the 1930's Sweden's birth rate was among the lowest in the world, but it has subsequently risen and stands now at 15 per 1,000 inhabitants. The mortality rate is about 10 per 1,000 inhabitants.

The average life span is slightly more than 71 years for Swedish men and nearly 76 years for Swedish women. The earlier surplus of women has disappeared and exists now only in the ages above 50. The number of elderly people in Sweden is relatively large, with nearly 11% of the population over the age of 67. Since the 1940's Sweden has an immigration surplus which amounted during the 1960's to about 10,000 persons a year. In 1965 and 1966 the figures rose to 33,000 and 27,000 respectively. Only to fall back to around 10,000 in 1967. In 1968 surplus immigration has increased to twice this figure. Most of the immigrants come from other Nordic countries.

Communications

The railways in Sweden cover about 13,000 kilometers and account for about 4,800 million passenger kilometers and 14,000 million ton kilometers of goods transported a year. The railways are owned almost entirely by the Swedish state.

The public roads subsidized by the state, have a total length of over 97,000 kilometers. In addition there are about 60,000 kilometers of private roads.

Domestic air transport includes several airlines owned by private corporations. International air traffic is served by the Danish Norwegian Swedish airline SAS. The main airports are Arlanda and Bromma is Stockholm Torslunda is Gothenburg and Bulltofta is Malmo. The latter supplies frequent local flights to Copenhagen.

The largest harbors in Sweden are in Gothenburg Stockholm Malmo, Helsingborg Trelleborg Lulea Gavle Oxelosund and Kalmar. Sea transport between Gotland and the Mainland usually goes via Nynashamn or Kalmar. Gothenburg maintains ocean travel to England and the U.S.A., while Malmo Helsingborg Landskrona and Trelleborg take care of traffic to Denmark and the continent. Sea traffic to Finland is mainly via Stockholm.

HISTORY

How Sweden Began

Water the forest and iron helped to create the Kingdom of Sweden. At one time all of Sweden was covered by a blanket of ice miles thick. Gradually the ice melted away. Migrating fishermen and hunters moved in and took control of the territory. About the year 3000 BC farmers began to settle the land and raise crops and livestock. Imported copper and bronze became known 1500 years later. Relicts of the bronze Age exist today in the form of magnificent weapons and ornaments found in the earth.

About 500 BC iron found on the beds of lakes and swamps began to be used. The provinces around the Lake Malar Valley and those in eastern rose to a position of dominance. The people who lived here, called Svear started forming villages many of which are in existence today. (The Roman historian Tacitus wrote in his book

'Germania", in the year 98 A D that the "Svear" owned mighty fleets and many fighting men)

The seafaring exploits of the "Svear" were directed towards the lands on the eastern side of the Baltic Sea. These ventures culminated in the Viking Period (800 to 1050 A D), when the Vikings controlled the seaways to Constantinople and conducted trade between the Orient and western Europe. Vikings from Sweden's southern provinces, then belonging to Denmark, took part in the raids and voyages to western Europe and the British Isles.

During the Viking Period the various provinces in Sweden were combined into a kingdom that was named "Sverige", the Svea "rike" or domain. These provinces however remained separate from each other and kept their own laws. They were united only by means of one ruling king and through the yearly sacrificial feasts to the Norse gods at Old Uppsala.

The Middle Ages (1050—1520)

During the entire Viking Period, English and German monks were active as missionaries in Sweden. The first of them was Ansgar, who in about 830 A D founded the first Christian church in the trading village of Birka on an island in Lake Malar. Not until the end of the Viking raids did Christianity win a definite victory.

In 1164 Sweden received its first archbishop with diocese in Uppsala. Sweden was then enlightened by the cultural values of Europe, and many churches were built, first of wood and later of stone. A number of these parish churches are still standing.

Sweden at that time was a Baltic country. Only in a small area close to the present city of Gothenburg did the country have access to the western seas. Finland was

conquered in the course of several crusades and became a part of the Swedish Kingdom. The capital of Stockholm founded in the 1250's lay in the central part of the country.

During the 13th century new copies of the provincial laws were written and they remain today thanks to their age and content unique in Europe. Sweden was a kingdom with representation alongside the king existed a council whose members were recruited from the noble families.

During the 14th century national laws were formulated that set forth the king's obligation to protect the legal rights of the country's inhabitants.

Swedish trading expeditions to the east soon met with overpowering opposition from the German Hanseatic League. German merchants began settling in Swedish cities and trading in the copper and iron extracted from the hills of Central Sweden. The old peasant society split into three new estates nobility, clergy and burghers.

In 1397 the Nordic countries formed a union under Danish leadership to combat the superiority of the Hanseatic League. The Swedes disapproved of the domination of the Danes and during the 1430's a miner by the name of Engelbrektsson led a rebellion against them.

For the first time a Swedish assembly was called into session in which the peasants were also represented. In 1521 the nobleman Gustav Eriksson Vasa led a new revolt against the king of the Danish union and created in this way an independent Swedish Kingdom.

The Vasa Period and Sweden as a World Power (1523—1718)

During his long reign (1523 to 1560) Gustav Vasa remolded the Swedish Kingdom. He cut Sweden's ties to the Roman Catholic Church and established a Swedish

Lutheran State Church which still prevails. By reducing the land and property holdings of the church, he stabilized the nation's economy and administration. Gustav Vasa's sons carried out an aggressive foreign policy. They fought with Denmark, Poland and Russia, and conquered Estonia.

Gustav Vasa's grandson, Gustav II Adolf, laid the foundation for modern Swedish parliament and municipal self government developed. Mining methods were modernized and an arms industry took shape. In 1630 Gustav II Adolf entered the Thirty Year's War. With the help of France, he defeated the Catholic Confederation at the Battle of Breitenfeld in the year 1631. The following year he fell in the Battle of Lutzen. With the signing of the Treaty of Westphalia, Sweden won large areas of northern Germany and became a world power.

Gustav II Adolf's daughter, the highly gifted Christina abdicated in the year 1654 and was converted to Catholicism. Her cousin and successor Karl X Gustav, captured the provinces of Skane, Halland, Blekinge and Bohuslan from Denmark. During this period of military expansion the Swedish nobility had laid claim to large areas of land. Karl Gustav's son, Karl XI destroyed the power of the nobles and effected a great reduction of their finances. These newly won properties were used by the king to support a large army, which later enabled his son, Karl XII to carry out a long defensive campaign against Denmark, Poland and Russia. After his death Sweden lost control of the Baltic states, and of large parts of the German provinces.

From a Land of Power to a Land of Culture (1718—1818)

The enormous might wielded by Sweden's kings was abolished at the end of her period as a world power. Sweden received a constitutional government with a strong parliament (Riksdag) made up of representatives of the four

estates noblemen, clergymen, burghers and peasants A form of parliamentary law emerged, and two political parties struggled for power

After many years of war, a peaceful period of reconstruction began, interrupted only now and then by poorly executed military ventures. Imposing strides were made in the natural sciences, and great interest was shown in the improvement of agricultural and mining techniques.

In the year 1772 Gustav III carried out a bloodless political coup. The power of the king was thus increased, but parliament still had control of taxes and finances. Art and literature flourished under the inspiration of the king's genius, and a "Gustavian style" took shape in the places of the royalty and nobility. In 1792, during a masked ball at the Royal Opera House, Gustav III was assassinated. His son, Gustav IV Adolf, became entangled in a war with Russia, and Sweden lost possession of Finland. The king was dethroned in 1809. The constitution subsequently adopted is still in effect today.

A Century of Peace (1818—1918)

In 1810 Jean Bernadotte, a French marshal, was chosen successor to the Swedish throne. He took part in the war against Napoleon and forced Denmark to relinquish Norway, which at that time (from 1814 to 1905) formed a union with Sweden. In 1818 Bernadotte ascended the Swedish throne under the title of Karl XIV Johan. During his reign neutrality became the guiding principle of Sweden's foreign policy.

During the 18th century a modern class consisting of landowners, merchants and factory owners had emerged. The decade of the 1840's witnessed the break through of the liberal opposition which they represented. Extensive reforms ensued. The old legislature made up of the four

estates was dissolved in 1865 and replaced by a two-chamber parliament

Agriculture was modernized through radical reforms that split up the old village system. The population increased rapidly, but the soil was unable to provide enough food. Between the years 1850 and 1930, therefore more than a million Swedes emigrated to America. The industrialization of Sweden occurred during this same period.

The iron and steel industries were modernized and the wood and pulp industries developed.

The Emergence of Democracy (1918-)

Parallel with the industrialization of Sweden arose the large popular movements such as revivalism, the temperance league and the Social Democratic Workers' Movement, all of which played a part in the emergence of democracy. Between the years 1918 and 1921, national suffrage for both men and women became a reality. Parliamentary government won a complete victory. A modern multiparty system developed, and in 1920 the first Labour administration was elected to govern the country.

This party has been in power continuously since 1936. Little by little, the administration and parliament have put into effect a series of Social reforms that have transformed Sweden into a modern welfare state. In the field of foreign policy, neutrality remains the leading principle.

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SWEDISH CABINET AND ADMINISTRATIVE ORGANIZATIONS

THE CONSTITUTION

Sweden is a monarchy, but the King no longer exercises any personal political power. A Parliamentary democracy exists in Sweden, as in the other Nordic countries and for instance, Britain. This form of government was fully implemented at the end of the Great War, Sweden's four "fundamental laws", however, have remained by and large unchanged for longer than this. The most important of them, the Instrument of Government of 1809,

is the oldest written constitution in Europe (only the Constitution of the United States is older). The principles of Parliamentarianism have been incorporated into its division of power only alterations to the fundamental laws in 1969. Outside the framework of the Instrument of Government and the other fundamental laws (the Parliament Act 1810 and the Freedom of the Press Act 1949), a rich constitutional practice has developed.

WHO GOVERNS SWEDEN?

The Instrument of Government of 1809, based on experience drawn from Sweden's history, and on studies of the predominance doctrines of the time, created a balance of power. The law making power was assigned to Parliament the executive power was vested in the King and his cabinet, and the judicial power was put in the hands of independent courts.

Alongside these powers, however, new ones soon appeared. Political parties transformed the content of the old constitutional forms. Powerful pressure groups developed in all spheres of society and quickly assumed an acknowledged position in the political system. These groups today participate in preparing the more important legal amendments. They voice opinions on planned reforms and on tax recommendations that affect their members, and in certain cases they also take part in the practical implementation of the resolutions adopted.

Sweden's political life is not characterized by tremendous crises, insurmountable differences of opinion among opposing groups, or exciting changes of governments. What attracts attention is not the sensational nor the conspicuous, but how Sweden has so calmly been transformed from a society of privileged classes marked by strong political and economic antagonisms into a democratic welfare state.

To a high degree, Swedish politics bear the impress of co-operative solutions and compromises

The question of who governs Sweden, can therefore be formulated as an inquiry into who controls the political agreements, shapes the decisions and exercises political influence

THE KING

Formally, the King still holds certain important political decisions in his hand. The Government makes decisions in his name. In reality, however, the King has very little political influence. Before a decision is made he is obliged always to consult his cabinet and since this cabinet is nowadays always chosen from the party or parties that control Parliament the King's decisions are in reality always in accord with those of the cabinet, or its ministers. The cabinet ministers countersign the decisions. The King presides over the formal cabinet meetings, usually every Friday, at the Royal Palace.

Sweden's present King, Gustaf VI Adolf, was born on November 11, 1882, but did not accede to the throne until after his father's death in 1950. He has fully accepted the limitations imposed by the parliamentary system but he has nonetheless, with great personal interest, kept himself informed about the political problems of the day.

The King opens parliament (*riksdag*) in January each year and addresses it in a short statement. If a cabinet resigns for political reasons it is up to the King to find—on the basis of the strength of the different parties in Parliament—a Prime Minister who can form a new cabinet with the strongest possible parliamentary support.

FUNCTIONS OF MINISTERS

The ministries (*department*) are small units each as a rule consisting of no more than 100 persons (including clerical staff). They are concerned with 1 preparing the Government's bills (*proposition*) to Parliament on budget appropriations and laws 2 issuing laws and regulations and general rules for the administrative officers (see below), 3 international relations 4 higher appointments in the administration and 5 certain appeals from individuals which according to historical patterns are addressed to the King. Except for these appeals the ministries are in most fields not concerned with details of administration. Matters concerning the practical implementation of legislation or general rules may, however in different ways—e.g. in the public debate—be brought before the ministries.

WORK METHODS OF THE CABINET

The Cabinet as a whole (*regeringen* or *Kunglig Majestat* =*the King in Council*) is responsible for all Government decisions. Although in practice a great number of routine matters are decided upon by individual ministers and only formally confirmed by the Government the principle of collective responsibility is reflected in all forms of governmental work.

Once a week the formal decisions of the Government are taken hundreds of them in half an hour or so at a meeting in the Royal Palace presided over by the King and attended by the ministers (the King in Council). The practice is that before these meetings the King is informed of decisions which are of major importance or in which the ministers know he takes a personal interest.

All important decisions to be taken by the Government are subject to discussion by the Cabinet as a whole. Plenary Cabinet meeting under the chairmanship of the Prime

Ministers are held normally one to three times a week. At these meetings top officials often introduce the matters at hand and reply to questions raised by ministers, whereupon the Cabinet discussion and decision proceed behind closed doors. No minutes are taken.

As a rule Cabinet members lunch together in their private restaurant in the chancery building, where no other guests are admitted. A great number of decisions are in practice taken quite informally at these luncheons upon an introduction given by the minister concerned.

A third form, even more informal, of Cabinet decision taking is that of two or three ministers concerned discussing a matter—with or without their collaborators of the ministries present—in order to agree without taking up the time of the Cabinet as a whole.

The work method thus described allows for a high degree of coordination between all the branches of government in matters of policy. The officials of the ministers meet often and easily with each other and prepare decisions. Before becoming final and public, all decisions of interest to more than one ministry, are attested by top officials of the ministries concerned. An important feature of the work methods of the Government is that all Government bills to be presented and important pronouncements (answers to questions, etc.) by individual ministers to be made in Parliament on behalf of the Government are circulated beforehand to all ministries for their attests. This system allows for information to and discussion between Cabinet ministers and top officials before the formal decisions are taken. It also gives the legal consultants of Cabinet rank an opportunity to function as legal supervisors and coordinators of all Government actions.

THE MINISTRIES AT WORK

The actual functioning of the ministries is somewhat different from one ministry to another although the fundamental set up is very much the same. The following account is applicable to the present workmethod of the Ministry of Health and Social Affairs.

This ministry has seven units (with somewhat different formal status). One division deals with social insurance, another with social care activities, and two divisions deal with matters concerning the public health services, etc. Three secretaries deal with legal matters, planning and budgetary questions, and international relations, respectively, filling an advisory and coordinating function as regards the specialized units referred to above.

The highest ranking officials of the ministry are the Under Secretary of State (*statssekretare*), the Permanent Secretary (*expeditionschef*) and the Chief Legal Officer (*terattchef*).

The Under Secretary of State is responsible to the minister for leading the work within the ministry. It is thus up to him to plan the ministry's work, to supervise the carrying out of this work and to establish the necessary coordination between the activities of the different ministerial units.

The Permanent Secretary supervises the legality and consistency of administrative decisions to be taken within the ministry and is responsible for the final drafting of Government decisions to be despatched from the ministry.

The Chief Legal Officer is mainly responsible for the drafting of laws and regulations within the ministry's sphere of authority.

The under secretaries of state—one in each ministry—are generally speaking the only political appointees of the ministries. Yet a number of them are not known as party affiliates—i.e. they do not take part in the political debate. Many of them are rather known as nonpolitical officials. Occasionally an under secretary is a member of Parliament. An under secretary who is not an MP is not entitled to speak in Parliament, but there is a listener's seat for him in either house at the side of the cabinet bench. Whether an affiliate to his minister's party or not the under secretary represents the ministry and the minister. He is often a delegate to international conferences.

All officials of the ministries are appointed by the Government Parliament having no right to intervene or pass judgement on the appointments.

In the case of a change of party in office very few changes in the cadre of officials are likely to occur. A few under-secretaries of state would resign. Some political experts who are employed by the ministries for non-fixed terms would leave.

On the other hand, all civil servants in Sweden and military and police personnel as well, are perfectly free to take part in political life and to hold political office.

COMMISSIONS OF INQUIRY

The preparation of legislative or other measures of the Government is as a rule not done exclusively in the ministries. In matters of major importance the following procedure is normal. The Government—on its own initiative or at the request of Parliament—calls upon a group of experts to serve on a commission of inquiry. The terms of reference of the commission take the form of a written statement by the minister concerned, approved by the

Government. This statement as a rule describes the main lines of action recommended by the Government.

Commissions may include members of Parliament, representing also the opposition, representatives of the Organizations of the labor market or of other organizations interested in the problems at hand, and experts from the scientific side or the administrative bodies concerned—all in all normally 5 to 10 persons. The secretariate—although in most cases organized as an independent office—is provided by the appropriate ministry, which also pays the expenses of the commission in question.

The commissions are given a high degree of liberty of action as regards studies to be carried out through travel hearings, research or otherwise. They work without public insight—but are of course often closely followed by the press—until the day when they publish their printed report. A commission often works for two or three years and sometimes longer. In a great many cases, the proposals of the commissions are unanimous, at least on the principles, but members are free to have their dissent and dissenting proposals printed to the report.

Every commission report is referred for examination (remiss) by the ministry concerned to various administrative organs and non governmental organizations. Any organization, thus approached or not, is free to make known its opinions to the ministry. The material thus assembled is reported—though normally not in full—as a background of Government bills to Parliament. Consequently a bill is usually a heavy document—often hundreds of pages—in which the minister who speaks has to argue in the light of a very full public discussion reproduced in the bill. Members of Parliament can easily find whether or not the Government has followed the wishes or intentions brought

to the fore by party representatives or organizations of their liking

This method is cumbersome and often time-consuming. It is however, considered to be a very valuable form of democratic government. The parties of the opposition directly taking part in the preparation of political decisions are given a chance to influence the Government before it takes its position. The work method described fosters compromise and "middle-way" decisions. The fact that different ideologies and groups may make their voices heard at an early stage is also believed to lead ultimately to the taking of wiser decisions.

ADMINISTRATIVE ORGANIZATION

The carrying out of Government decisions is entrusted to a number of central administrative boards. To exemplify under the heading of the Ministry of Health and Social Affairs fall 1 the Board of Health and Welfare 2 the Social Insurance Board, 3 the Board of Industrial Safety and certain other smaller agencies.

Every such board is headed by a Director General appointed by the Government, as a rule for a period of six years at a time. Sometimes, a Director General is chosen from political circles. The board, as such consists of the Director General as chairman and a number of the senior officials serving next under him and some laymen, representing organizations or sections of the population having special interest in the matters dealt with by the agency concerned. Thus, in the boards just mentioned to deal with social insurance and industrial safety, workers and employers are represented as well as small enterprise and farming. To some degree, political personalities are also included in this lay element. All these members of the boards are appointed by the Government, as are senior

officials of the boards Personnel of lower grades are appointed by the board itself

The administrative boards are under obligation to cooperate with each other directly without the interference of ministerial bodies

As a consequence of their independent position the central boards are expected to submit proposals to the Government regarding the policy to be followed by them On the basis of their practical experience they often propose in their respective fields amendments to laws and regulations decided upon by Parliament and Government It is customary to refer such recommendations of the boards for written comments in the same way as in the case of commission reports (see above) and to present the matter brought up to Parliament

Appeals

If a decision or an administrative action by a board is not acceptable to the subject of the decision or action the subject may appeal to a higher authority, i.e., the Government In a number of cases such complaints are dealt with by administrative courts, the decisions of which are final The Supreme Administrative Court deals, for instance, with complaints regarding taxation Another such supreme court is the Social Insurance Court which includes some lay judges recruited primarily from the organizations of workers and employers Appeals in cases of personnel promotion are always decided upon by the Government

SECURITY OF TENURE OF CIVIL SERVANTS

The security of tenure, which almost all civil servants enjoy is an important feature They are appointed for their lifetime and can be removed before their retirement age only as a result of legal procedure due to breach of

duty or criminal offense. This means that a civil servant can be held legally responsible for the way in which he holds his office before a court of law rather than before his superior.

Even top officials, appointed for a limited period or "until further notice," are seldom or never removed from their posts otherwise than by agreement between the parties concerned.

THE PRINCIPLE OF PUBLICITY

Official documents are accessible to the press and to any citizen to a great extent. All files of any administrative office are open to the public if not declared "secret" for reasons related to military security, international relations or the personal interest of individuals concerned (because they contain criminal or medical records and the like). Nobody has to show cause why he wants to see a public document. On the other hand, during the preparation of a decision, working material cannot be requested for public use.

3

SWEDISH PARLIAMENT, PARTIES, AND LOCAL ADMINISTRATION

PARLIAMENT

Parliament has two houses, called the First and the Second Chambers. Both are elected by the same electorate, which comprises all Swedes as from the year following that during which they reached 19 years of age. The Second Chamber has at present 233 seats and is elected directly for four years. The First Chamber has at present 151 members, elected by the district assemblies for eight years, one eighth being elected each year, these voting assemblies are,

differently, the proposal before them was lost if a compromise could not be found in committee. If the chambers dissent on a financial item the vote was renewed in both houses at the same moment, the aggregate voting result being decisive. All decisions were taken by simple majority. An amendment to the constitutional law of the country could, however, not become valid until affirmed by a second decision, general elections to the Second Chamber having been held between the two occasions.

Parliament had a number of standing joint committees, for different kinds of subject matters (budget, taxes, laws, foreign affairs, constitutional matters, agriculture, etc.) and sometimes sets up select (*ad hoc*) committees. On the

- (b) A new system for the counting of votes gives each individual vote equal value, irrespective of the party for which it was cast, provided the party has passed certain blocking regulation According to this, a party has to collect at least four per cent of the electorate in order to gain parliamentary representation There is, however, one exception If a party wins 12 per cent in one constituency it may get one regional seat

Constitutional reforms as sweeping as this one are not common in Sweden The government appointed Commission which prepared the reform proposals agreed on almost all the changes, the only important difference of opinion being about the number of seats in the new unicameral parliament The representatives of the Conservative party proposed 300 seats, as opposed to the 360 seats finally decided by the Commission Another constitutional reform is under way, however, and the Commission is expected to present a new proposal, within a year or two, principally concerning the position of the Head of State One of the questions it will deal with is what powers the Head of State shall have, whether he be President or King The Commission will consider the issue of republic versus monarchy, it will survey the civic rights and the taxing power in short, it will look over the whole Constitution of Sweden.

committees parties are represented in proportion to their strength. Cabinet ministers are not allowed to be present at committee meetings. Ministerial officials are however often requested to attend such meetings, in order to provide explanations and other relevant information.

From 1971 a new committee organization has come into force. Every Riksdag session sets up its own constitutional committee, finance committee and at least 14 other committees. These bodies are organized by subject matter areas. Thus all matters relating to legislation are prepared by the same committee.

The presidential posts of the house as well as of committee are according to free agreement among the parties distributed among parties. For the last few years the Speakers of the Houses (in bicameral legislature) have had the right to vote.

During the first 15 days of each session of Parliament individual members are entitled to introduce motions (motion) on any subject. After the delivery of each Government bill a period of 10 or 15 days is allotted to the MPs for moving amendments. All such bills and motions are referred to committee where they are discussed thoroughly. Committees often invite written comments on members' motions or occasionally hold hearings behind closed doors on Government bills. Not seldom ministerial officials are invited to serve as secretaries to Parliament committees.

All matters dealt within committee are reported upon to the Parliament in plenary session. To kill a proposal in committee by sitting on a bill is not possible. Only rarely and never for political reasons is a bill referred from one session of Parliament to the following. Committee reports generally contain a thorough

account of historical and other relevant facts connected with the proposal put forward

The Parliament as far as possible, discusses committee reports and Cabinet members are expected to defend their propositions in the plenary sessions. Ministers normally do not take part in the debates on private members' bills. Such motions, when not related to a Government proposition before the house, as a rule at best result in a request to the Government to investigate the question raised or to put forward, for a future session, a proposal of a certain character.

Although the right of MP's to speak is practically unlimited, it is not possible—by filibustering or otherwise—to avoid decision on a matter which is before the house. The rules of procedure being very clear and detailed, procedural debates are very rare.

The system elaborated results in MP's obtaining considerable expert knowledge in the fields covered by the Committees in which they sit.

Parliament is in session during roughly seven months the months June—September being free. Committees normally meet on Tuesdays Thursdays and Fridays, while plenary sessions are held on Wednesdays.

Referendum and Dissolution of Parliament

Provided the Government and the Parliament agree consultative referendum is permitted by the Constitution. The Government has the right to dissolve Parliament and to order extraordinary elections. During the last four decades only three referenda have taken place. In 1957 the Government accepted the proposal by the opposition, that a referendum on the pensions issue be held. The

wording of the questions to be put before the voters was a matter of konflikt, and so was the interpretation of the popular answer. The Government then placed a pensions bill before the 1958 Parliament, which, however, defeated it. The Government in this situation chose to exercise its right to dissolve Parliament—which had not happened since 1921—and ordered extraordinary elections for the Second Chamber (The 1959 Parliament adopted the pensions bill).

The Parliament is empowered to move votes of censure against the Cabinet as a whole or any of its ministers. If an absolute majority of the Riksdag supports, the motion, the Cabinet or minister concerned must resign unless the Government announces within ten days the holding of new elections.

"Votes of confidence" are not taken in Parliament as separate items and cannot be moved by members. If a cabinet wishes to make a financial bill or a legislative matter a "question of confidence", the rule is that makes this known before the vote is taken. In 1958, before the vote on the pensions issue was taken, the Government indicated that, if defeated, it would dissolve Parliament.

THE POLITICAL PARTIES

The five parties in Parliament are the Social Democratic Labor Party (Social demokratiska Arbetarepartiet), the Liberal Party (Folkpartiet = the People's Party) the Conservative Party (Moderata Samlingspartiet), the Center Party (Centerpartiet formerly the Farmer's Party) and the Communist Party (Vänsterpartiet Kommunisterna).

The parties are well organized both in Parliament and outside. The Social Democratic Party is closely allied with the workers' trade union movement (Land-organisation or LO), which has a number of representatives in Parliament as Social Democrats.

Beginning in 1966 State subsidies are paid to every political party represented in Parliament which is regularly engaged in opinion molding activities. To qualify for the subsidy each party must have won at least one seat in the most recent general election and acquired at least 2% of the national popular vote. From 1971 a party must have taken part in the most recent general election and won seats in order to qualify for subsidies. The subsidy amounts to SKr 60,000 per seat annually. No conditions are attached to the subsidies nor is there any public control over their expenditure.

Voting in Parliament on crucial issues mostly still follows party lines.

Since 1932 the Social Democrats have been in office permanently—except for an interregnum of 100 days in 1936. Between 1933 and 1936 they had a working agreement with the Center Party. Coalition governments of Social Democrats and the Center were in power —

PERCENTAGE OF ELECTORATE

Year	Cors	L b	Cent	Soc Dem	Com	Other
1932	23.1	12.2	14.1	41.7	8.3	
1936	17.6	12.9	14.3	45.9	7.7	
1940	18.0	12.0	12.0	53.8	4.2	
1944	15.9	12.9	13.6	46.6	10.3	
1948	12.3	22.8	12.4	46.1	6.3	
1952	14.4	24.4	10.7	46.1	4.3	
1956	17.1	23.8	9.4	44.6	5.0	
1958	19.5	18.2	12.7	46.2	3.2	
1960	16.5	17.5	13.6	47.8	4.5	
1962	15.5	17.1	13.1	50.5	3.8	
1964	13.7	17.0	13.2	47.3	5.2	3.6
1966	14.7	16.7	13.7	42.2	6.4	6.1
1968	12.9	14.3	15.7	50.1	3.0	4.1

SEATS IN PARLIAMENT, SECOND CHAMBER

Year	Cons	Lab	Cent	Soc Dem	Com	Other
1932	57	25	36	104	8	
1936	44	27	36	112	11	
1940	42	23	28	134	3	
1944	39	26	35	115	15	
1948	23	57	30	112	8	
1952	31	58	26	110	5	
1956	42	58	19	106	6	
1958	45	38	32	111	5	
1960	39	40	34	114	5	
1964	33	43	35	113	8	1
1968	32	34	39	125	3	

in 1936—1939 and 1951—1957 During the Second World War 1939—1945, the four democratic parties were in coalition During the years 1945—51 and since 1957 the Social Democrats have been in office alone

In the First Chamber the Social Democrats since 1942 have alone commanded the majority of votes In January 1969 the First Chamber consisted of 25 conservatives 26 Liberals, 20 Centers, 79 Social Democrats and 1 Communist.

Consequently, in financial questions where the chambers vote together if their first decisions are not consistent, the Social Democrats for a long time have had a majority of their own or at least more votes than the three non socialist parties combined At present out of all 384 seats in both chambers the Social Democrats carry 204 votes against 176 for the parties in opposition, excluding the Communists, who carry 4 votes

All political organizations enjoy full freedom and all democratic rights.

The freedom of the press has no limits in Sweden as far as politics are concerned. Almost half of the press—expressed in figures of circulation—supports the Liberal Party, while a small quarter favours the Conservatives and another quarter the Social Democrats.

THE ROLE OF ORGANIZATIONS

Representatives of organizations of different kinds sit in Parliament, serve on committees of enquiry, belong to administrative boards. The organizations are invited to submit comments on all sorts of proposal forwarded inside the administration or Parliament. Their views are recorded in the official publications of the political machinery.

The above applies to the organizations of trade unions, salaried employees, employers, consumers' and producers' cooperatives, smallholders, industry, business, trade women, tenants, land lords, etc.

At the top level, in the Government Chancery, leading personalities from management and labor, industry and trade etc., are invited to serve on certain advisory committees. Thus they sit on consultative organs for matters relating to e.g., employment policies and building questions. A special kind of occasional consultation with representatives of different groups takes place from time to time at the country house of the Prime Minister (Harpsund, a donation some years ago to the Government from a representative of 'big business'). These meetings have been labelled "the Harpsund democracy".

It would seem that "the pressure groups" in Sweden should not really be called by that name. The organizations form regular parts of the democratic system itself. Not only are they involved in the public debate, but they

also play a responsible part in actual administration at all levels (They also serve on many regional or local administrative organs)

It is probably fair to say that, by the methods described the organizations exert a considerable influence in Swedish Political life

LOCAL ADMINISTRATION

In 1971 Sweden will have 464 communes (municipalities) and by 1974 the number will fall off to 20. Now it is divided into about 850 communes, each with an elected assembly. The powers and duties of the communes relate to the provision of a great number of necessities and facilities housing and supplements thereto such as roads, sewerage, water supply etc basic education, public assistance, child welfare.

They have the right to levy income taxes and receive the revenue of a modest tax on real estate

They charge fees for various services. Thus they have a possibility which by international comparison seems to be extensive of providing public services at their own discretion. At the same time they are bound by law and regulations to provide at least a number of basic services for which however, considerable subsidies from national revenue come to them.

Between the State and the commune there is a regional Organization, composed of 25 provinces or districts. The national administration in each of these provinces is represented by a Governor (landshövding) and the provincial state administration (lansstyrelse). The governors are appointed by the Government for lifetime they are often chosen from among politicians but normally leave the political scene upon their appointment.

Many of the central administrative boards have regional branch offices in each of the provinces (e.g., the Labor Market Board, the Housing Board) with their own provincial board, on which the governor often serves as chairman.

For certain tasks of a fundamentally communal character, the communes of each province are united in a district assembly or county council (*landsting*), for which the same rules apply as in other elected local or national bodies. These assemblies are responsible primarily for health care including the provision of hospital services, and certain stages of education and vocational training. The district assemblies are entitled to impose an income tax to cover their expenses.

Because of the continuing exodus from rural areas and the higher demands of modern society with respect to education and other services, it is found that many Swedish communes are too small to function well and provide the services required by the population. Although as late as in 1951 their number was decreased from 3000 to 900, it has been felt that many communes would benefit from amalgamation into greater units.

What has been said above regarding work procedures of the Government and Parliament applies to a high degree also to the communes and the provincial assemblies.

CONSTITUTIONAL LAW

The description given in this article of the Swedish democratic system is not in all its aspects regulated by constitutional legislation. On the contrary important features of the parliamentary system have developed outside the scope of or, rather, in spite of the Constitution. It has proved possible to find room for the institutions of a modern democratic administration in the old constitutional laws.

These laws however, have been subject to a great many amendments over the years

The Instrument of Government dates back to 1809, the Act of Succession (on the present Royal family) to 1810, and the Parliament Act to 1866. These acts have recently been revised by a commission and Parliament has resolved in favour of the introduction in 1971 of the unicameral system of representation. The fourth constitutional act, the Freedom of the Press Act in its present shape is dated 1949.

THE BUDGET

The Swedish fiscal year runs from July 1 till June 30 the next calendar year

Each year in September all boards and similar agencies of the Government present their budget for the next fiscal year. The ministries concerned scrutinize these requests and in October forward their own requests to the Ministry of Finance. A special board under the Ministry of Finance provides estimates of state revenue for the next year and the economic section of the ministry outlines an economic survey, the so-called national budget. Negotiations between ministries and inside the Cabinet having been brought to an end the Government presents its finance bill to Parliament at the opening in January.

During the following months, Parliament discusses successively the budget proposals. At the end of May the final budget decisions are taken. On that occasion the rate of national income tax is also decided. The budget having been adopted by Parliament, the Government then proceeds to issue the necessary administrative regulations.

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LAW AND JUSTICE IN SWEDEN

Swedish law as it exists today is the result of a long historical development marked by continuity rather than abrupt changes. The most important source of constitutional law is still the Instrument of Government dating from 1809. On essential points, however, the written document no longer reflects the constitution as applied in practice, this became especially manifest after the 'democratic breakthrough' in 1918. Reform work in this field commenced in 1954 and is continuing. As far as civil

law and criminal law are concerned, the Code of 1734 is still in force at least officially. However, little of the Code's original contents remain. Most of the "books" into which it is divided were completely redrafted either during the 19th century or so far in the 20th. Even so, its traditional systematic framework has been respected and efforts have even been made to preserve the Code's characteristic laconic style. In modern times moreover, a mass of special legislation has grown outside the Code in such fields as company law, copyright and protection of industrial property, labor relations and real property. In public law important matters are regulated by the practice of authorities rather than by written law.

General Characteristics of Swedish Law

It is customary to observe of Swedish law that it bears a strong indigenous flavor and as such is relatively detached from foreign influences. This statement needs some qualification however. It would be more accurate to say that Roman law has had less influence on Swedish development than in most of the European countries, and that many elements of old Germanic law have persisted to our day. It must be emphasized on the other hand, that Swedish law making has steadily responded to influences from Roman law from Germany, France and more recently the English speaking countries. Many particulars of the Instrument of Government though based on domestic experience, also reflect contemporary theories on separation of powers which go back to the French philosopher, Montesquieu. Legal developments during the latter part of the 19th century were often strongly affected by German legal writing and legislation. An important difference in relation to the majority of Continental legal systems is that Sweden has abstained from large scale codifications along the lines of the *Code civil* in France or the *Bürgerliches Gesetzbuch* in Germany. When comparison is made with Anglo American

common law, at least one significant difference emerges, and that is the greater Swedish reliance on a body of written law. Thus the Swedish legal system, both by virtue of its systematic structure and its content, may be said to occupy a halfway house between the Continental European and Anglo American systems.

Lawmaking today A brisk pace of legislation has been maintained in Sweden for the past few decades. Several important sectors, among them family law, criminal law and the protection of industrial property, have been overhauled in their entirety, while other sectors such as real property are currently being subjected to extensive revision. An important characteristic of Swedish lawmaking is that, since the end of the 19th century, so much of it is being prepared in collaboration with the other Nordic countries. The result has been to achieve a significant degree of legal uniformity in Scandinavia especially in the field of civil law.

Sweden has been ruled for 30 years by Social Democratic governments, whose statements of policy have committed them at least in principle, to sweeping social changes. At the same time however, the Social Democrats have always had to contend with a powerful nonsocialist opposition. The ruling party's objectives have found expression in the statute books, particularly as regards taxation, social welfare and those areas which have relevance in terms of national planning. On the other hand, the political infighting has so far had little effect on criminal and civil law. The principles of private property and freedom of contract, which are the bases of Swedish law, remain essentially unimpaired, even though there has been frequent resort to administrative controls, as in regulation of rents, restrictions on credit and building construction, and limitations on the right to acquire real property.

The powers that he have also treaded warily in regard to constitutional and parliamentary procedures, as well as in matters relating to the organization of administration and justice. It is still true to say that Swedish public life is permeated to an unusually high degree by the ideals of a law-governed society. While this holds for the courts as a matter of course, it is not worthy that the administrative authorities should also embrace judiciary forms to such a great extent for their own work, where it is not, or at least was not, uncommon in other Western European states for administrators to claim the discretionary powers of a private businessman; their Swedish counter parts have long followed the dictates of written law or well-established precedents.

It can be asserted, by way of summing up that Swedish law in its broad organic aspect exhibits a rather peculiar mixture of traditionalism and radicalism. This goes some way towards explaining the decided penchant for compromises and middle of the road solutions that have characterized the political climate. One should perhaps add the qualifying word "up to now", because a change in the climate, which in fact seems to have been taking place during the last few years, could naturally be expected to put a different gusse on these characteristics.

The Lawgivers

Power to enact laws is jointly vested in the Riksdag (the Swedish Parliament) and in the King in Council—which under contemporary constitutional practice is the Cabinet appointed in observance of parliamentary principles. This power is reserved by the Instrument of Government for the King in Council along in matters concerned with administration and economic policy, in modern times, however, jurisdiction in these fields is also largely exercised by the Riksdag.

The Riksdag is bicameral with the Upper Chamber indirectly elected by the county councils and the Lower Chamber directly elected by the people. They share equal legislative powers. The simultaneous vote of both chambers is required only for budgetary bills otherwise a bill is dropped if the two chambers fail to agree. In 1971 the bicameral Riksdag is succeeded after more than a hundred years of service by a one house Parliament.

If a bill touches on general civil or criminal law the King in Council must first obtain a statement of opinion from the Law Council (*Lagradet*) before submitting it to the Riksdag. This body which was split up into divisions a few years ago to meet the ever increasing mass of new legislation is composed mainly of justices of the Supreme Court and of the Supreme Administrative Court. Opinions of the Law Council are advisory only and the Cabinet need not be guided by them. Early in 1970 it was announced that the Cabinet intended to present a Bill to the effect that submitting new enactments to the Law Council should no longer be compulsory a change which has caused some anxiety among lawyers.

Sweden still has an established Church and any legislative matters which affect it must be considered not only by the Riksdag but also by a Church Assembly consisting of clerical and lay representatives. However the relations between State and Church have been under discussing for a long time.

THE LAW MAKING PROCESS

In Sweden the spadework in the preparation of bills is done by commissions of inquiry legal experts in the ministries and Riksdag committees. Except when the matter at issue is politically controversial parliamentary debate is considerably less important as a preliminary to legislation than in most other democratically governed countries. By

the time a bill reaches the Riksdag floor, it has already gone through a winter of pros and cons. Indeed, where legislation of any importance is involved, probably no other country makes such careful and prolonged preparatory effort. Every ministry has its own department for legislative matters staffed by a greater or smaller number of experts. By long tradition the principal draftsmen of new legislation are Judges who have been released from their regular assignments in the courts.

In the vast majority of cases the initiative for new legislation comes from the Cabinet even though the original impulse or demand for reform can often be ultimately traced to the Riksdag, organized interests or the press. It is nowadays the exception rather than the rule for one more members of the Riksdag to present a complete legal draft for consideration. In the following, the normal procedure of proposal concerning civil law will be described. Special rules apply to the enactment of constitutional law while the extensive body of administrative law follows a simpler procedure.

Royal Commission. As a first step the sponsoring minister, with the approval of the Cabinet, appoints a commission of inquiry. If the inquiry is to be of major scope the King in Council appoints the commission. If the proposed measure has political implications, the commission will usually consist of legislators from different parties and representatives of important interest groups sometimes presided over by a high ranking judge or civil servant. A junior judge usually officiate as secretary. If the object of inquiry is more than ordinarily concerned with legal technicalities judges will comprise the majority of a commission's membership. Minor inquiries may occasionally be carried out by officials in the ministries. The scope of inquiry is defined by terms of reference laid down by the Cabinet or the particular minister who has appointed

the commission, by and large, however, the terms of reference are generally worded and at the most give an outline of the objectives sought.

Considering the different nature of their assignments, commissions of inquiry inevitably work after different procedures. Much of the preparatory work is largely entrusted to the Secretary or secretaries. On the other hand, a high degree of uniformity informs the finished products. These are presented in final reports, most of these reports are published as volumes in a collection known as Government Official Investigations (*Statens offentliga utredningar*, referred to as *SOU*). A final report usually contains a draft of the proposed law, a general statement of reasons in support of the rules therein formulated, and a specific statement of reasons where each of these rules is commented at length. It is chiefly because of the extreme detail that goes into the working of reasons for legislation that the Swedish law-making process may be described as unique. By way of example, the Copyright Act of 1960 is based on a final report of more than 600 densely printed pages, most of which exhaustively analyze the proposed rules and offer suggestions concerning their interpretation. The final reports are signed by all commission members. Although there may be individual dissents, they are relatively infrequent, if present, they are added to the regular report as appendices.

Legislative work in the ministries and the Law Council : When a commission has finished its work, its recommendations are examined by the affected ministry's legislation department. The commission's report is then sent out for submissions, i.e., for comment by interested authorities and organizations. If the proposed legislation is of more than average importance, as many as one hundred bodies may be invited to render submissions, and some of

these may run the size of small books. After the submissions have been collected, the ministry will prepare a bill which the minister then presents before the King in Council. The whole bill is worded in terms of a speech (simulated of course) given by the minister. Every provision of the bill is compared with the commission's corresponding recommendation, also included are the views of the commission of the groups which have commented on the draft, and of the ministry.

If the proposed legislation concerns civil or criminal law, the Cabinet refers it to the Law Council, which examines the text for consistency with existing legislation and for the quality of its draftsmanship. Only rarely does the Law Council pass comment on politically controversial matters. Usually, however, its criticisms are regularly considered when the bill is referred back to the ministry concerned. There the bill is finally reviewed before the minister reports to the King in Council, which will then decide on its submission to the Riksdag.

The parliamentary phase of legislation* The most important part of the Riksdag's legislative work is performed within the committees which are common to both chambers. Committee sessions will also deal with motions to amend that have come up before the Riksdag. In addition to the committees empowered to deal with specialized matters, there are three standing committees on legislation. Their composition reflects the political division of strength in the two chambers. The standing committees regularly include jurists in their number. Here again junior judges serve as secretaries. Riksdag Committees meet in closed session, it is not unusual to bring in outside experts or organizations to give opinions. Their work is less extensive than the preparatory work done by the commissions of inquiry, as a rule, Riksdag committees concentrate on

*Now there is Unicameral Legislature

motions to amend or on points where they recommend changes. As in the commissions of inquiry, every effort is made to reach compromises and minority reservations are unusual in matters unrelated to political controversy.

Promulgation If the Riksdag approves the Cabinet's bill as proposed, the King in Council promulgates a law in accordance therewith. If the Riksdag makes amendments the bill is referred again to the Law Council for a statement of opinion after which the Cabinet is required to decide upon the Riksdag's proposals. Nowadays the Cabinet accepts Riksdag decisions without exception, which leaves only the formal act of promulgation.

The use of legislative material It will have emerged from the foregoing account that the Swedish lawmaking process generates a voluminous body of printed matter. The more important final reports of commissions of inquiry are regularly sent to the authorities concerned. The parliamentary publications, which embrace all papers relating to consideration by the ministry, Law Council and Riksdag are also easily accessible. Lastly the pre-enactment materials pertaining to more important laws are published in a special periodical. Having regard to the scrupulous care taken in these materials to formulate the reasons and intent of the law, it becomes natural for courts, authorities and individual jurists to rely on them as important sources of interpretation. The traditionally laconic wording of Swedish legal texts is largely possible only because the lawmakers have already expatiated on their views in pre-enactment reports and can feel sure that these will be taken into account.

THE COURTS AND ADMINISTRATION

Primary responsibility for the application of legal rules devolves upon the courts and the different administrative authorities. As in other Western European countries

the court system occupies a special position. One reason for this is the set of elaborate regulations which govern its activities. As has already been pointed out the difference between adjudicative and administrative authorities is less in Sweden than in most European countries their organization and the division of powers between them have both evolved in response to historical trends rather than to deliberate government planning. The administrative authorities are not tools of those in political command at any one time apart from matters of internal organization and procedure the lower authorities do not take order from the higher but follow the generally prevailing rules under their own responsibility. Their decisions may be challenged under appeal provisions resembling those in force for the court system. In most cases administrative decisions are not subject to review by a regular court. The lower courts in addition to their primary concern with civil and criminal cases perform many duties of an administrative nature related to conveying land development guardianships probate and so on. As a final observation under this head it should be noted that judges and high ranking administrators-and for that matter prosecutors senior police officers and attorneys have the same academic training. Moreover the majority of law graduates serve in one of the lower courts for two and a half years to gain experience before taking an appointment in the civil service or embarking on other careers.

THE COURT SYSTEM

Sweden has a three tier hierarchy of courts the lower courts (*underräffter*) the intermediate courts of appeal (*hovräffter*) and the Supreme Court (*hogsta domstolen*). There are about 150 lower courts of which some 30 are city courts (*radhusräffter*) for the larger urban areas the remainder are district courts (*häradsräffter*) which serve rural areas and smaller urban areas. The difference of

jurisdiction between the two types goes back to the Middle ages, and their composition was also quite different until recently. On January 1, 1971, a complete reorganization of the Courts of first instance will become effective. It implies, *inter alia*, the merging of rural and city courts into one uniform court called *Lingsrätt*.

Courts of first instance. The president of a district court still carries the medieval title of *härdsjövding*, meaning 'chieftain of a hundred'. Working with him are one or more assistant judges and a number of judicial trainees, i.e. young law graduates entitled as clerks. The chief magistrate of a city court is called *borgmästare* (*a cognate of the German burgomaster*) and is assisted by various career judges, *radman* and *assessorer* and a staff of judicial trainees.

A peculiar feature of lower courts in Sweden is the *namnd* or panel of lay assessors, who take part in the hearings in specified classes of cases. Assessors are elected for six year terms by local representative councils from the roster of eligible local citizens. Most of them are re-elected for consecutive terms, and since each lay assessor is on duty for at least ten days in any one year, these panels develop considerable experience over a period of time. In rural areas, service on a panel is deemed a particular honour. Every lower court has a minimum of 18 lay assessors, and the large city courts may have several hundred. The *namnd* which has medieval traditions in rural courts and has constituted a significant element of democracy in Swedish public life, must not be confused with the Anglo-American and Continental jury. Its members are concerned not only with verdicts but also deliberate with the judge on points of law, such as the sanctions to be imposed in criminal cases. A qualified majority (seven out of nine, or three out of four) of the lay assessors must agree in order to prevail over the contrary opinion of the judge, however.

such disagreements seldom occur in practice. The *namnd* system was not adopted by the city courts until 1948.

Lower courts exercise jurisdiction over both civil and criminal cases. If either a district court or city court tries a serious crime, the main hearing is presided over by a judge assisted by a panel of seven to nine lay assessors. The panels are reduced to three or four members in dealing with misdemeanous, while petty offenses are tried by the judge alone. District and city courts differ nowadays only in respect of civil actions, in the former, the presiding judge tries cases with a panel of seven to nine lay assessors, in the latter, the assessors are absent and adjudicating power is vested in judges alone. The new *tingsratt* will have a judge and four or five assessors in all criminal actions except the petty offences which will be tried by the judge alone in civil actions three or four judges sit on the Bench with the exception of certain special cases, chiefly in the field of family law, where a panel of lay assessors assists the presiding judge.

Courts of Appeal Sweden has six courts of the second instance, of which the oldest and largest is the Svea Court of Appeals in Stockholm, established in 1614. In addition to serving as appellate bodies, these courts are also responsible in their respective areas for administration of the court system and for the further training of judges. A law graduate who aspires to a judge's career must work as a qualified clerk in a court of appeal after finishing his term of duty in a lower court. The ranks of younger appellate judges, incidentally are recruiting sources for the secretaries and experts who work in government ministries and on commissions of inquiry. In their adjudicative capacity, courts of appeal operate in divisions.

No limits are imposed on the right of appeal. About five percent of all cases tried by lower courts pass on to a

higher court. Law assessors do not take part in the proceedings of appellate courts. Most of the appeals are decided after a main hearing before one of the divisions mentioned above. A division consists of five judges but presence of four is regarded as a quorum. In specified classes of cases disposition may be made without a main hearing on the basis of the filed documents, after the parties have been enabled to make their final representations. Such disposition is made after the case is reported to the court by a qualified clerk or junior judge.

The Supreme Court The Supreme Court consists of justices (*justitierad*) working in three sections with seven justices in each the presence of five suffices for a quorum. The other justice serve on the Law Council. Because of the great value attached to its decisions as precedents the Supreme Court has a right to meet in plenary session if there is cause to depart from previously applied principles on any point.

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The Code of Judicial Procedure defines the classes of cases which may be considered by the Supreme Court after their trial in courts of the second instance. A separate section of the Court consisting of three justices determines whether to accept a case for review. About one seventh of all appellate decisions are reviewed by the Supreme Court whose own decisions are final. Like the courts of appeal the Supreme Court need not confine itself to points of law but may also consider new evidence.

Special Courts In addition to the regular courts of justice (and the administrative tribunals described below) there are a number of special courts. One of them, the Court of Impeachment, is of quaint interest empowered under the Instrument of Government to try Cabinet Ministers; it has not convened since 1854. An important special court is the Labor Court established in 1928. It has

The Prosecutors The case for the plaintiff in criminal action is argued by public prosecutors. These officials form part of a hierarchy headed at the top by the office of Chief Crown Prosecutor (*riksaklagare*). Sweden is divided for this purpose into a number of districts, each of them staffed by one or more full-time prosecutors of legal training. Every county has a chief prosecutor who supervises the district prosecutors.

The Bar Defense counsel in criminal proceedings concerning serious crimes is appointed by the court. The appointee must be a member of the Bar, or Association of Attorneys (*Sveriges advokatsamfund*), a semi official professional organization which imposes certain standards of discipline on its members. Moreover, the right to free counsel is implicit in the right to a free trial which may be granted a party in either a civil or criminal case. As a rule, too, such counsel is a man of legal training, authorised by the Bar to use the professional title of *advokat*, or attorney. Even where such council has not been specifically commissioned it is nowadays common to have the parties represented by attorneys, especially in civil actions. However, there is no compulsion to engage an attorney. A litigant may plead his own case right up to the Supreme Court if he so wishes.

Criminal Sanctions. A characteristic feature of Swedish criminal law (which was thoroughly revised in 1962) is the wealth of different sanctions it prescribes. The intention is to apply that sanction in the individual case which best fosters the offender's readaptation to society, in other words, less emphasis is put on punishment that might be construed as retaliation or as an attempt to deter others. Offenders under 18 years of age are only exceptionally sentenced to imprisonment, while first time offenders are usually given a conditional sentence. Fines are imposed

under the rule that offenders shall be made to feel the equal severity of punishment regardless of their financial position accordingly, the amount of fine is to be commensurate both with the offender's annual income and net wealth and with the court's evaluation of the gravity of his crime

ADMINISTRATION

By contrast with many other countries especially in the English speaking world Sweden has long operated an extensive machinery of central and local administration. Notwithstanding the major changes of modern times the operation of this machinery is still based to a great extent on the major reorganization that was instituted in the early part of the 17th century.

A characteristic feature of this organization is that the majority of central government agencies are not made directly answerable to a minister or ministry. Instead, they work in observance of general directives issued by the King in Council. But in fact if not in name the agencies are highly dependent on the ministers who have overall responsibility for their sectors of administration. If anything this dependence is tending to become even more pronounced.

At the local level the most important organs of administration are the administrative boards (*lansstyrelser*) in Sweden's 24 counties. In addition certain central government agencies have their own representation in the counties. The county administrative boards or special officers attached to them besides supervising the administration in general are in charge of the police forces, execution of judgments, collection of taxes, and other designated functions.

As noted earlier the decisions of administrative authorities are not appealable to an ordinary court of

justice Instead a complainant can take his grievance to the next highest authority or to a specialized tribunal In theory the administrative process can be said to be organized so as to permit a complainant to appeal the decision of a lower authority with the administrative board in his county or with a specialized agency attached thereto From these two channels are available In certain cases whereof dissatisfactions with tax assessments comprise by far the greater number an appeal against the ruling on county level is lodged with one of Sweden's oldest and most notable administrative tribunals the Fiscal Court (*Kammarratten*) in Stockholm The highest instance in the tribunal system is the Supreme Administrative Court (*Regeringsratten*) Cases falling within the competence of this court are enumerated by special statute generally speaking these are cases in which the legal element prevails as in taxation or the institutionalization of the insane alcoholics delinquent youth etc The Supreme Administrative Court is also the final court of appeal against the decisions of local representative councils and authorities in those cases where such decisions are appealable

The second channel applicable in all other cases has the King in Council as its highest instance

Like their counterparts in the regular court system the highest instances in the tribunal system of adjudication are empowered to review questions of both fact and law The most important difference in procedure between the two systems is that the tribunals make more regular use of written documents

SPECIAL INSTITUTIONS OF CONTROL

The Ombudsmen Probably the best known of these institutions abroad is that of the three Ombudsmen or Parliamentary Commissioners for the Judicial Civil and

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Military Administration Since the end of World War II several countries have set up similar offices based on the Swedish model. The Ombudsmen, who are almost always prominent judges are appointed by the Riksdag for a term of four years. In many instances the same person has been re-elected for several terms. Their chief duty is to see how the courts and administrators observe and apply the nation's laws especially those which safeguard the freedom, security and property of its citizens. The Ombudsmen are assisted by deputies and a legally trained staff. They may hear or obtain information from such persons as they think fit and make any inquiries they consider necessary. Since 1957 their powers have been extended to include the acts of local government authorities.

The Ombudsmen will always investigate a reported abuse by an authority if a complaint is addressed to them the press or another source of information frequently used by the Ombudsmen. They may also investigate matters on their own initiative for example after making one of their frequent inspection trips. It should be pointed out however that they are neither all powerful administrators nor judges. Their office is best understood in terms of the word "prosecute". Should they find evidence of wrong doing they can bring an action before a court. In less flagrant cases however, it will be enough to withhold prosecution on condition that corrective steps are taken. Each year the Ombudsmen submit an annual report to the Riksdag. These reports often contain proposals for the amendment of laws at points where they have found existing provisions to be defective.

The first Ombudsman, whose jurisdiction included only the Judiciary and the Civil Service, was appointed in 1809. In 1915 the office of Military Ombudsman or Parliamentary Commissioner for Military Affairs was created. He dealt exclusively with complaints relating to the armed

forces. He was appointed and worked under the same rules as his civilian counterpart. From 1968 there has been only one office, with general competence, but split among three persons, all carrying the title of Ombudsman.

When the activities of the Ombudsmen are considered in the light of history, often spanning periods of exacerbated political and social conflict especially at the beginning of this century it is safe to say that they have gained not only a great measure of public confidence, but also the respect of the authorities themselves. Thanks to these officials, moreover, the man in the street is more inclined to believe in the integrity of civil and military administrations and in their respect for the law.

The Chancellor of Justice The Instrument of Government also provided for the office of Chancellor of Justice (*Justitiekansler*) who supervises the courts and administrative organs with particular concern of safeguarding the interests of the Crown. The Chancellor of Justice, who is a Cabinet appointee and usually a man with a distinguished record of service in the judiciary, follows the same procedures as the Ombudsman. Thus he makes frequent trips to inspect official records and documents in detail. He also has authority to represent the Crown in civil litigation and serves the Cabinet as its chief legal advisor.

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LOCAL GOVERNMENT IN SWEDEN

The concept of the municipality (*kommun*) was established in Sweden through the Municipal Administration Act of 1862. At that time it was realized that the fulfillment of certain municipal duties called for larger administrative units than the regular municipalities which, areawise, correspond to the old parish divisions. This led to the organization, in each province, of a municipality under the administration of a county council (*landsting*). The result was

that three types of municipalities were created

1. Civil municipalities (rural municipalities, boroughs and cities)
2. Ecclesiastic municipalities (parishes)
- 3 County council municipalities

The first two are considered primary municipalities while the third is called a secondary municipality.

MUNICIPAL AUTHORITY

According to current municipal administration legislation, effective from January 1, 1955, all primary municipalities with the exception of the City of Stockholm which is administered under separate laws have the same degree of authority and the same duties. The contents of the Municipal Administration Act of 1955 are, however, in principle the same as those of 1862.

The authority of the municipality is codified in the third paragraph of the Act

"The municipality shall, in accordance with the rules of this Act, handle its own affairs in as much as the handling thereof does not, according to current law, come under the jurisdiction of other administrative body. For certain municipal affairs, special legislation will apply."

The regulations of the third paragraph mean that the activities of the primary municipality include partly a free sector of activities within which the municipality itself has to decide scope, type and aim (*nonregulated administration*) partly tasks delegated from the national government (*regulated administration*) which the municipalities have to fulfill in accordance with legislation applicable in each separate case (e. g. schools, social welfare, health administration, construction activities, etc.)

The exact interpretation of the rule that municipalities are to handle their own affairs has not been specified in the Municipal Administration Act. The limitations of municipal authority in regard to non regulated activities must therefore be sought in the preliminary studies concerning the 1948 law revision where the passage received its present formulation and in judgments and rulings laid down by the Supreme Administrative court in regard to appeals from municipal residents on decisions made by a municipal council. Such appeals against municipal council decisions may be filed by every resident of a municipality in the first place before the County Administration and then before the King in Council (the Supreme Administrative Court). Appeals against a municipal council decision may be filed only if the appellant can show that the decision has been made under one of the following conditions:

- 1 The decision has not been made in accordance with the law
- 2 The decision goes against the Law of the Land or against legal statutes or has otherwise exceeded the jurisdiction of the body making the decision
- 3 The decision infringes on the rights and liberties of the appellant or is based on unjust premises

The decision of a municipal council can be either upheld or reversed; it cannot be changed. Neither the County Administration nor the Supreme Administrative Court can advise a municipal council to make another decision.

The legal basis for Swedish municipal activities has remained basically unchanged for the past 50 years. However, the number of functions delegated by the national Government has increased heavily. Through this and through the allocation of national subsidies for some

activities, the national government maintains a fairly strong influence of municipal affairs. Meanwhile, such municipal activities that are not, or are to a lesser degree, regulated by the government, have increased enormously. Examples are housing construction, gas works, power plants, water and sanitation, roads and transport services, and various cultural activities such as libraries, theaters, public assembly halls, installations for sports and athletics, etc. The so-called "free sector", i.e. those branches of municipal activity which are wholly independent and non-regulated, has thus increased in both absolute and relative terms.

DECISION MAKING AND EXECUTIVE BRANCHES

A basic principle in Swedish municipal administration is that the administration shall be in the hands of, or under the guidance of elected representatives, with the wide range of municipal tasks and duties in today's society it is, however, impossible to demand that the elected representatives themselves handle all functions. The municipalities must therefore employ executive officers who are guided and controlled in their work by the representatives.

Each municipality has a decision making body (the municipal council) and an executive authority known as the municipal board. In the parishes, the ecclesiastic municipalities corresponding bodies are the select vestry (common vestry) and the parochial church council, respectively. The county council is the deciding body in the county council municipality with the county executive committee as executive branch.

The number of representatives in a municipal council is determined by the council members themselves within limits stated in the Municipal Administration Act. The number of representatives must be

In municipalities with Population	Smallest number
20,000 or less	31
20 001—40 000	41
40 001—60 000	51
More than 60 000	61

The number of city council members is 100 in Stockholm and 80 in Göteborg

Under amendments to the Municipal Administration Act passed by the Riksdag in the autumn of 1969 membership of municipal councils shall be fixed at odd numbers. The municipalities are also authorised to appoint deputies for the councillors

The term of office for a member of a municipal council is three years the same as the term of office for a member of the national Parliament's lower house. The election system is based on the principle of proportional representation

In order to qualify as a candidate for a seat on a municipal council a person must be 23 years of age and have voting rights within the municipality. He must not be under legal guardianship or declared in bankruptcy.

The highest officers in the county administrations are not eligible as candidates and the same goes for chief officers in municipal administration.

The right to vote is granted every legal resident of the municipality who during the year presiding the election has reached the age of 19 and who is not placed under legal guardianship.

The council chairman is elected by the council members for a one year term of office. The meetings of the council are open to the public. Meeting of a municipal council are to be held in accordance with rules decided by the councilors. The council shall also convene at the order of the County Administration, when requested by municipal board or the majority of councillors, or as thought necessary by the chairman.

ADMINISTRATIVE AND EXECUTIVE BRANCHES

The central administrative authority is the local government called the municipal board. The municipal boards are responsible for the municipal administration and control the activities of other boards and committees on the local government level. They are empowered to attend to everything that may be of importance for the development and economic status, of the municipality and issue recommendations and advise as they deem fit. The board members are elected by the members of the council and the term of office is three years the same as for the council members themselves although the terms do not run concurrently. The number of members on a municipal board must be at least five but the number is usually greater seven to eleven.

Other administrative units are either mandatory (i.e. prescribed by special legislation like for example the boards of education, and of social welfare, the committees on municipal planning, and the fire protection commissions) or voluntary boards and committees for various types of cultural activities like library services, sports and other recreational activities electricity and water works and other functions not regulated by special legislation.

The mandatory boards and committees are more or less independent of the municipal council. This means in effect that the council cannot issue any instructions to these

administrative units regarding the execution of their prescribed duties. It means also that these boards administer their own duties in accordance with instructions given in special legislation which cannot be altered in any direction by the municipal councils. A council can only allot the funds necessary for the functioning of these boards.

The members of boards and committees are elected by the council members from within or outside their own circle. The meetings of the special boards and committees are, contrary to those of the municipal council, not open to the public. Only duly elected board members have the right to vote at the meetings.

Eligibility rules are the same as for the municipal council members. The term of office is normally three years.

The heavily mounting activity of the municipalities during the past decades has resulted in a notable increase in the number of special boards and committees.

The members of the county councils are elected by those residents of the county council municipalities who have the vote in municipal council elections. The term of office is three years. The county council meets only once a year for one week in October. During the rest of the year, the county council is represented by its administrative committee. This committee cannot allocate any funds outside the framework of the county budget, nor make any decisions which lawfully are to be made by the council.

DUTIES AND AUTHORITY OF THE PRIMARY MUNICIPALITY

The authority of the municipalities includes those tasks and activities which the municipality has a lawful right to administer. If the municipal authority is questioned,

it is usually in connection with the allocation of funds for various purposes. The community's right, in other words to spend the taxpayers money. The wording in earlier municipal legislation charged the municipalities with the handling of 'common questions of order and management'. In the 1948 legal revision, the term 'common' was deleted, a measure of great significance. Instead, the general interest of the municipality has become the focal point. Through the abolition of the "common interest" clause the municipalities have become able to meet special needs of densely populated areas. Funds may now be allocated to public services of various types such as road construction, street illumination and sanitation even though the measures may benefit only a minor portion of the community.

A prerequisite for municipal authority is that the interests furthered by municipal activities must be located within the own municipality. This does not mean that the activities necessarily must be carried out within the boundaries of the municipality, but the municipal community must have a definite interest in the project.

A main rule is that the municipality must not act in the interest of private enterprise but a few exceptions may be noted. One concerns cases where the municipality, in order to avoid serious unemployment, offers subsidies to a private company in order to enable it to continue its operation. Another exception is that the municipality has the right to mitigate activities aimed towards the stimulation and development of business and industry within the municipality.

An important limitation of the municipal authority is the so-called equality principle which states that all members of a municipality shall be equal in their rights and obligations towards the community. Thus, the municipal council cannot make any decision which unlawfully favours

a certain resident or group of residents within the municipality. Neither may the council make any decisions which will disfavour certain residents.

Another important principle in municipal management is that the municipalities may not engage in speculative affairs. A municipality may not operate a business enterprise for profit. The municipal business enterprises (electricity and gas works, water and sanitary services, etc.) which are operated by the municipalities as public services must work on the self cost or break-even principle meaning that the rates charged must correspond, as far as possible to actual expenses. A municipality may however, through loans, guarantees or by other means, support privately-owned enterprises which through their activities, meet the need of the public.

ACTIVITIES WITHIN THE 'FREE SECTOR'

As mentioned above, the municipalities may, within the framework of the rules of municipal authority decide for themselves which types of activities they wish to operate. These functions however must be of interest to the general public. They are normally activities which though not legally stipulated are deemed natural or necessary for the residents of the municipality. They are primarily different services of local importance important enough to be deemed a responsibility for the municipality. Among the most common and most necessary of such service activities are power plants, water works, gas works, transport services, harbors, etc.

Other examples of municipal activity are cultural service of various types such as library and theater activities, installations for sports and athletics and other types of recreational facilities, public beaches, swimming pools, etc.

Many of the activities listed above are often operated by the municipalities as incorporated companies. This simplifies the management as the enterprises do not come under the Municipal Administration Act with its rules of public participation. The municipally owned companies operate under the same legal regulations as private corporations. The self cost and equality principles do not apply and board decisions may not be appealed. Municipal activities through municipally owned corporations are allowed as long as the activities carried out lie within the field of municipal authority and the municipality is not legally prescribed to operate the services on its own.

Among the activities most often carried out by municipally owned corporations are power plants, gas works, and public transportation companies. Housing construction has in recent years, turned out to be an activity which in an increasing degree has been handled by the municipalities and proven to be specially suited for municipally-owned corporations. The number of housing construction corporations is now more than 500 and, in number, dominate the municipally owned corporations and foundations. A national organization has been formed for the construction corporations (*Sveriges Allmännyttiga Bostadsforetag SABO*).

Duties of the County Councils

From the time of the organization of the county councils, one of their most important functions has been to manage hospitals and other types of medical care. The county councils are thus in charge of the smallest dispensaries as well as the large central hospitals. Each county council municipality has at least one central county hospital and one or more general hospitals. The sanatoriums, also operated by the county councils, were of great importance at one time. Following the regression of pulmonary tuberculosis in the 1920s

they have gradually been taken over for other medical activities

Under the medical care activities of the county councils comes the *district nurse organization*, for which the county councils are responsible, and the mother and child welfare programs. Recently, the county-councils have taken over the responsibility for mental institutions from the national government, as well as the public medical services administered by the provincial medical officers who are now under the jurisdiction of the county councils.

The county councils are also in charge of the public dental care programs which are carried out at central and district dental clinics. About one fourth of all Swedish dentists work in the county council clinics.

In the field of education the county-councils have several important duties. They are, for example, in charge of half of Sweden's 100 county colleges or folk high schools.

Other functions in the field of education are the operations of the trade schools in agriculture. The agricultural colleges and the schools for rural home economics. Both types of schools feature basic trade education and specialized courses in agricultural subjects.

Closely connected with the medical care responsibilities of the county-councils are the county programs for nurses training in 21 county operated schools. Of the 12 other nursing schools in the county, three are operated by the national government, three by cities outside county council jurisdiction, and six by private foundations.

The county councils have also, to a considerable degree helped develop trade training facilities by opening central county trade schools or by subsidizing trade schools in the primary municipalities. The engagement in education is an entirely

voluntary function of the county councils. As no directives or recommendations have been issued from the national government, the educational facilities vary considerably from county to county.

The county-councils have certain social welfare functions as well, some mandatory, some voluntary. Among the former are work homes and children's homes to meet the need of the county. Infants' nurseries, maternity homes, correctional institutions and special homes are also operated by the county council. The county councils have no jurisdiction in this field over the primary municipalities within the county.

An important task delegated to the county councils is to, along with the cities outside county-council jurisdiction, elect members to the Upper House of Parliament. Decisions of the county-councils may be appealed before the Cabinet.

Six Swedish cities Stockholm, Goteborg, Malmo, Helsingborg, Norrkoping and Gavle were once outside the jurisdiction of county councils. They were, accordingly, charged with all the duties that normally are handled by county councils. In recent years, however, Helsingborg, Norrkoping and Gavle have become members of secondary municipalities. The City of Stockholm merged, in 1968, with the County of Stockholm. Only two cities, Goteborg and Malmo, remain outside the county council organization.

The county councils of Sweden are united in the Association of Swedish County Councils (Svenska Landstingsförbundet).

Municipal Finances

The expenditures of the municipalities are covered mainly by the municipal income tax. This proportional tax is levied independently from the national income tax but uses the same basis for taxation. Municipal tax rates are set by the municipality itself in connection with the passing of the

municipal budget. These decisions are not subjected to the ratification by any national government authority.

A very important source of income for the municipalities are the subsidies from the national government for various purposes. Teachers salaries, school construction, public institutions, some forms of social welfare and child care, fire protection, etc. A great number of special government subsidies exist.

Municipalities with an exceptionally high rate of taxation may be awarded a special tax equalization subsidy.

Revenues and expenditures of the primary municipalities in 1967

	Skr mill	
Taxes	9,438	45 0
Govt subsidies	4,979	24 1
Other revenues	6,187	30 0
	20 624	100 0
Education etc	5,945	27 3
Welfare services	3,065	14 1
Health and medical services	1,509	6 9
Industrial activities	3,134	14 4
Streets, roads etc	2,449	11 2
Property management etc	2 437	11 2
Other expenditures	3,234	14 9
Total expenditures	21,773	100 0

The allotment of the special government subsidies is often dependent on the economic situation of the municipality with regard to the number of residents in relation to the total income tax. Other sources of income are revenues from munici-

cipally owned enterprises (e.g. gas and electric works) and income from municipally owned housing

For municipal loans the permission of the King in Council is required if the sum is considerable and the period of repayment exceeds five years. Municipal loans are most often raised in order to finance the capital expenditures of the municipality in connection with constructions for permanent use.

The expenditures of the county councils are covered by the county council tax which is levied by the council in the same manner and according to the same taxation rules as the regular municipal tax.

Supervision and Control

The members of the municipal councils are not subjected to control unless a resident of the municipality appeals a decision of the council. The municipal accountants have no right to void a decision made by the municipal council and neither has any other authority in the national or municipal government. The members of the council have political responsibility for the decisions they make.

The activities of the boards and committees and especially the financial administration are subjected to the review of municipal accountants. The review of accounts is made by accountants appointed by the council, often assisted by specialists from the Swedish Federation of Municipalities or from a private firm of certified accountants. The council decides whether a complaint from the accountants shall be disregarded or whether legal action shall be taken to protect the interests of the municipality. If, in the latter case, legal action has not been instigated within a year after the filing of the annual report of the accountants, the municipal accounts will be considered as accepted by the council. Whether the accounts are accepted or not, legal measures may be taken

against felonious acts. The boards and committees, prescribed by special legislation, are to a certain degree subjected to the control of the county council in as much as complaints against a board decision may be filed by any person concerned with the decision. The highest court of appeal in these matters is the Supreme Administrative Court.

The national administrative bodies also carry out some forms of supervision of the various branches of municipal administration, sometimes through local representatives like the provincial medical officers, the inspectors of public schools, and the inspectors for social welfare and child care. This supervision, however, is usually in the form of advice and information. Some of the national government agencies publish periodical or occasional information sheets in order to keep the municipalities informed about new legislation and its interpretation.

New Municipal Divisions

In February 1961 a special government committee charged with the revision of the municipal system delivered a report suggesting changes in the municipal division of the county. The report, quite naturally, caused a great deal of debate among politicians on the local government level which also received a great deal of attention abroad. It may be of interest to briefly review the proposals of the committee which is of great importance for the present municipal system.

As mentioned above, the municipal boundary lines of 1863 had, by and large, followed the old parish borders, which were to function for the following century. In the 1930's and 1940's, however, it became obvious that the duties of the municipalities had grown to such a degree that many of the smaller municipalities, with less financial capacity, were unable to fulfill their duties in a satisfactory manner. In addition, the population figures of many of the smaller municipalities had decreased below the 100-mark. Such

small municipalities, obviously, had great difficulty in maintaining the standards of the large municipalities in regard to schools, social welfare, etc. Following a proposal from a special committee, Parliament decided in 1946 that a new municipal boundary system should be instituted. The intention was to create municipalities with population figures of normally not less than 3,000 inhabitants.

It took six years to achieve this parliamentary decision. The result was not reached until January 1, 1952, when the number of rural municipalities was lowered from 2,281 to 816. Between 1952 and January 1, 1961, there were only a few minor municipal mergers and at the latter date the number of rural municipalities amounted to 800, along with 133 cities and 96 boroughs. The total number of primary municipalities in other words, was 1,029.

There were a number of reasons to believe that a reform of this scope would solve the problem of the small municipalities for some time to come. As it turned out, however, the reform was not radical enough. Reasons were, partly, the increasing depopulation of rural areas in the 1950's which made the smaller municipalities even weaker, partly the many added functions of the municipalities, especially in old age care and the introduction of the new nine year comprehensive school program.

A new special investigation, the result of which was made public in 1961, proposed further revisions in the municipal system. According to the experts, the boundaries of the municipalities should be adjusted to suit the densely populated areas which had developed around the industrial and economic centres of the country. Considering the population basis necessary to maintain the nine year comprehensive school each municipality must have at least 8,000 inhabitants, based on an estimated population in 1975.

Contrary to the 1952 reform, the new system was proposed as an entirely voluntary affair.

Municipal Federations

Before July 1, 1968, the primary Swedish municipalities were united in two interest organizations the Federation of Swedish Cities (*Svenska Stadsförbundet*) and the Federation of Swedish Municipalities (*Svenska Kommunförbundet*) On July 1, 1968, these two bodies merged into one under the name, the Swedish Association of Local Authorities (*Svenska Kommunförbundet*) Accordingly, there now exist only two national organizations representing units of local government. the other is the Association of Swedish County-Councils (*Svenska Landstingsförbundet*)

These organizations, by their statutes, guard the common interests of their members, promote co-operation between them, and further knowledge of municipal affairs Although the statutes say nothing about it, one of the chief functions of the federation is to act as a "lobby to influence the national government to the greatest benefit of the member municipalities.

An activity that has increased considerably in recent years is negotiation of wages and working conditions for municipally employed workers and officers The municipal employees have their own organizations Municipal workers generally belong to the Swedish Municipal workers Union (*Svenska Kommunalar betareförbundet*), with more than 150,000 members The municipal officers and clerks are organized in a number of unions, the largest being the Association of Municipal Officers (*Svenska Kommunalt janste mannaförbundet*) Negotiations are partly carried out centrally, between the municipal federations and the unions, and partly on a local level in which case the federations assist the municipalities Through central agreements, applicable throughout the nation, the municipal federations are attempting to reach uniform conditions for municipal workers and officers in all parts of the country

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Of great importance to the municipalities is the aid in budget work and accounting the Federation of Municipalities is able to offer. Through a number of accounting specialists in various parts of the nation, the federation is able to offer extensive help in these matters.

The federation of Municipalities also operates a corporation for central purchasing of equipment for municipal offices, schools, old age homes etc as well as literature of special interest to municipal servants.

The Federation of Cities and the Federation of Municipalities have together founded a School of Municipal Affairs in Sigtuna, north of Stockholm. The school offers courses in several branches of municipal activities for council members and officers in municipal service.

On July 1, 1968 the Federation of Cities and the Federation of Municipalities merged into one organization, the Swedish Federation of Municipalities (*Svenska Kommunförbundet*), following instructions issued by the boards and congresses of the two federations.

6

THE SWEDISH DEFENSE

General

Population 8 million
Density of population 46.6
per sq. mile. About 75% of
the population lives in com-
munities with more than 500
inhabitants

Length north-south
995 miles

Greatest width 311
miles

Length of sea frontiers
Eastern, from Finnish border
in the north to southern tip
of Sweden 995 miles. Wes-
tern, from southern tip to
Norwegian border 250 miles

Length of land frontier
Swedish-Finnish border in
the northeast, 335 miles,
Swedish-Norwegian border
in the west, 1,025 miles

Policy

Sweden pursues a policy of non-alignment in foreign affairs, aiming at neutrality in the event of war. The country's defense is based entirely on its own financial resources.

Strategic Importance

Swedish territory does not seem to be of great strategic importance at present, but it occupies an exposed position between the Arctic area and the Baltic Sea outlets.

Total Defense

Sweden's non-alignment policy and the will of the Swedish people to preserve their national integrity necessitate a strong defense, planning therefore aims at *total defense*, embracing the entire population. The military defense (armed forces) co-operates with and is supported by the civil, economic and psychological defense.

The chief purpose of the total defense, as enunciated by the Government, "is to be so well prepared for war that it serves to maintain peace. The total defense must therefore enable quick mobilization and full strength to be achieved." The official statement adds, "Medical care, social welfare, the police system, communications and other public activity shall be geared to the aggregate defense effort. The different sectors of total defense shall co-operate and support each other in order to achieve maximum efficiency."

MILITARY DEFENSE

General

The armed forces consist of army, naval and air services. Total strength exceeds 750,000 men.

Aims

The armed forces shall serve to maintain peace. As officially defined, the primary objective of Sweden's military defense is to repel invasions. Further, "every able-bodied Swede not committed to other important tasks within the

total defense should be made capable of taking a military part in the defense of his country's independence

Command

Overall command is exercised by a Supreme Commander directly responsible to the national Government. Combat units are organized by the Army, Navy and Air Force. Each of the service commanders has the central responsibility for the organization and training of combat units. Sweden is divided into six military commands each under a Commanding General. Attack units of the Air Force form a group under a separate command, while fighter units are subordinate to the Commanding Generals. The chains of command are identical in peace and war.

Compulsory Conscription

Military service is compulsory in Sweden, embracing every man between the ages of 18 and 47. Length of training varies according to the duties of conscripts in the war and peace organization. Thanks to the country's high training standards, the length of service can be kept short. Most conscripts have ten months of basic training, followed in later years by five maneuver periods of at least 18 days each in combat units. Basic training for conscript officers and conscripts on special duty runs for 15 to 21 months, later followed by special exercises in combat units. About 50,000 conscripts are called up for basic training every year. The annual maneuver, which run from 18 to 32 days, involve more than 100,000 men, to which are added special exercises for officers and other key personnel. Their purpose is to test the mobilization system and to develop the efficiency of combat units in integrated operations. The armed forces employ 23,000 commissioned officers, warrant officers and non-commissioned officers, 25,000 civilians, and 17,000 reserve officers.

Readiness.

Surrounding sea areas and air space are under constant surveillance by the Navy and Air Force. Parts of the Navy

and most of the Air Force maintain high operational readiness. Similar alerts apply to Army and Coast Artillery units under training, comprising the age-class training units and the combat units in refresher training. The Home Guard is ready to man its posts on a few hours notice.

Weapons, ammunition and other equipment of combat units are stored in a very large number of ordnance depots all over Sweden. This dispersion permits not only rapid mobilization, but also makes it difficult to disrupt. The time needed to mobilize varies for different units from a few hours up to a few days.

The military forces are thus recruited on the basis of conscription, most of the conscripts being on "home leave" in peacetime, while the rest are under training or exercising with combat units. The training program makes it possible to create units of high operational efficiency immediately after Mobilization.

The Services :

The army numbers more than 600,000 men in wartime, reinforced by about 100,000 volunteers of the Home Guard. It is organized in field units and local defense units. The largest and most versatile field units are the armored, infantry and Norrland (Northern Sweden) brigades, each with a strength of 5,000 to 6,000 men. They are organized and equipped to fight a mobile war on Swedish terrain and to cope with the rigors of Sweden's climate. The brigades are usually merged in divisions with additional headquarters, support and quartermaster units. Local defense units safeguard vital frontiers and coastlines, ports, airfields and communications. The Home Guard, which has a very high state of readiness, secures mobilization and protects military installations. The Army has an air arm consisting of helicopter and light aircraft units.

The armored brigades are being equipped with the new "S" tank and the armored personnel carrier 302. They are made in Sweden, as is most of the army's other equipment, i.e. the 155 mm armored self propelled gun the 'Bantam' wire guided anti tank missile, the 90 and 84 mm recoilless anti tank guns and the one shot 26 kg "Minimin" anti tank weapon. Anti aircraft defense includes guided surface to air missiles.

The Naval Forces consist of the Navy and the Coast Artillery. Emphasis is on light, fast ships and submarines, all specially adapted for operations in surrounding waters. The navy has about 15 destroyers and corvettes, 20 submarines, 30 torpedo boats 35 minesweepers and one 8 000 ton cruiser. Destroyers are armed with artillery, torpedoes, surface to surface missiles and anti aircraft missiles. Vessels under commission form the Coastal Fleet.

Strategic areas are defended by the Coast Artillery, which includes mobile as well as strongly protected fixed batteries, missile and mine laying units and commando troops.

The Navy also has helicopter units chiefly organized for anti submarine warfare. Virtually all naval ships are built in Sweden and their guns, torpedoes, anti submarine weapons and mines are of Swedish construction.

The Air Force comprises about 40 squadrons, most of them all weather fighter and attack units. A system of mobile organization enables combat units to operate from a large number of bases all over Sweden. All components of the air defense are co ordinated by an electronically automated command and warning system. Types of aircraft include the *Draken* (Dragon), an all weather fighter and reconnaissance aircraft flying at twice the speed of sound, and the *Lansen*, an attack aircraft also built in all weather fighter and reconnaissance versions. Armament includes the *Sidewinder* and *Falcon* air to air missiles and a Swedish air to surface missile. A new range of planes called *Viggen* has been

developed, it embraces attack, fighter, reconnaissance and trainer versions. The first planes were delivered in June, 1971. The *Bloodhound* range of surface-to-air missiles rounds out the Air Force armaments.

All services have underground installations blasted out of rock, and many of these also protect against nuclear radiation. Staffs and combat commands have access to rock shelters, ships and aircraft are sheltered in tunnels and underground hangars. Coastal batteries enjoy similar protection, especially against nuclear explosions. Permanent fortifications for the local defense have been built in areas of special importance.

Defense Budget

Since the end of World War II, 4 to 4.5% of the Swedish gross national product has annually been spent on military defense. Appropriations for the 1971/72 fiscal year are estimated at Skr 6,200 million (approx. \$1,200 million). In recent years the ratio of appropriations to the Government's operating budget were:

1964/65	17.5%	1968/69	14.5%
1965/66	17.2%	1969/70	13.5%
1966/67	16.1%	1970/71	12.8%
1967/68	15.4%	1971/72	12.4%

Material

Advanced technology permits Sweden to produce a large proportion of weapons and combat vehicles, ships and planes domestically. The high quality of equipment is attested to by the many orders received from foreign countries. More than 80% of the value of defense contracts is placed with Swedish industry.

Research

Scientific, technological and medical research for defense purposes is performed by FOA, the National Defense

Research Institute, which also co ordinates the research projects entrusted to other authorities. Many of the research findings are exploited commercially.

CIVIL DEFENSE

The protection and saving of life is the main task of the civil defense. Its activities are headed by the Civil Defense Board. To minimize casualties from air attacks on urban areas, evacuation procedures have been planned for 3.8 million civilians. Personnel who must remain in the cities and towns will be able to take refuge in underground shelters capable of holding 3.9 million people. To enable the local defense to respond effectively to air attack, its personnel are trained in firefighting, clearance work and medical care. Specially trained mobile corps are available to reinforce the local civil defense as needed. Civil defense service is compulsory and, when fully developed, personnel will amount to 300,000 men and women.

ECONOMIC DEFENSE

The economic defense of Sweden is a vital part of the Swedish total defense. It does not consist of firmly organized units like the armed forces of the civil defense and in an emergency it will have well over 2 million men and women at its disposal. The economic defense is indispensable not only in case of blockade or war, but also in peace time against economic pressure from foreign powers. In the event of a devastating war it will work to rebuild the country.

The National Board of Economic Defense is the central and co ordinating authority in charge of planning and preparing emergency supplies and vital services in case of war or blockade.

Stockpiling is an important part of the economic defense. Large quantities of fuel, food and industrial raw materials are stored throughout the country, often in rock shelters. This is the case with oil, which is entirely imported and corres-

ponds to some 70% of Sweden's total energy resources today. Sweden is a country with large natural resources water power, forests, arable land, raw materials and has an efficient industry which can rapidly switch over to war production. Some industries of vital importance operate under ground factories even in peacetime.

PSYCHOLOGICAL DEFENSE

The purpose of this sector is to maintain and strengthen the will to resist in war time and to counteract enemy propaganda. Planning is made by the National Board for Psychological Defense. Its main objective is to secure prompt true and full information under war conditions.

CO ORDINATION

Co ordination of total defense planning is vested in the National Defense Council including members of the Government, and in the Total Defense Head Committee, which comprises the heads of all Government agencies of major importance to the defense. The co ordination is fostered by training courses which leading civilian and military officers take at the Royal National Defense College. Continuous training to ensure co operation is also given in the form of exercises at the central, regional and local level.

Volunteer Defense Programs

Over a million Swedish men and women belong to voluntary organizations which offer basic and advanced training for different tasks within the total defense. In addition, virtually all national voluntary professional political and economic top organizations co operate within the People and Defense Federation. This organization seeks to make Sweden's total defense better known to increase the interest in defense, and to strengthen the "will to resist".

Sweden takes an active part in the UN's peace keeping operations. Since 1956 about 32 000 Swedish military persons have enlisted in UN missions chiefly in Gaza, Congo and Cyprus.

7

SWEDISH FOREIGN POLICY

Sweden's foreign policy of neutrality does not rest on international treaties and agreements nor is it supported by clauses in her Constitution. This policy is based on the conviction held by an overwhelming majority of Swedes, that it affords the most practical means for safeguarding the nation's vital interests. The tradition of neutrality has also firm roots among the Swedish people.

Basic Motivations and Aims

Swedish foreign policy is usually described as a policy of non participation in alliances aiming at neutrality in the case of war between the major powers. This is the official formula is by no means an exhaustive description of the aims and means

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of Swedish foreign policy today. Neutrality as a legal concept is applicable only when a state of war is in existence. The danger that the present precarious balance between the major powers will be upset through acute political crises and will lead to armed conflict is evident. It is therefore a basic aim of Swedish policy to try to contribute in diminishing such tension and to help within its modest means to further the cause of peace by being ready to assume mediatory or conciliatory roles in international crises which are handled within or outside of the United Nations.

Sweden is a small country in terms of population highly dependent on international trade and therefore on international stability and co-operation. It has enjoyed peace for about 150 years during which time a stable and prosperous society has been created. With these traditions it is natural that a broad public opinion exists in favour of an active diplomacy to further peace and international co-operation.

Such a policy is, of course also in the direct national interest of the country. Political tension in the Nordic area and in Europe as a whole has a direct impact upon Swedish security. Sweden therefore tries to promote understanding between the major powers here involved. The Nordic countries themselves have chosen different ways of assuring their national security. Finland pursues a natural foreign policy with a special relationship to the Soviet Union. It is clearly in the interest of the Swedish Government that good relations exist between these two countries. Norway and Denmark belong to the Atlantic Pact but limit their participation so as to exclude from their territory foreign bases and nuclear weapons. This also corresponds to Swedish national interests.

A further basic aim of Swedish foreign policy is the promotion of an expanding world economy and the general liberalization of world trade. A substantial amount of Sweden's national income is derived from exports, and the

has built up a highly specialized industrial establishment. Her prosperity depends increasingly on the free flow of goods over national borders. Indirectly this is also bound up with Swedish efforts to diminish world tension, as the liberalization of trade and economic growth are seen as conducive to world peace. The Swedish Government has been anxious to further trade with the developing countries and to prevent all discrimination in trade relations with these parts of the world.

Some Policy Implications

While the policy of neutrality and a strong defence are the main instruments by which Sweden hopes to achieve her major foreign policy goals, there are certain other features that should also be mentioned in this connection. In other words to safeguard her security and to play a conciliatory role in world affairs Sweden needs a substantial amount of independence of action. It is thus not enough that she is not formally a member of any power bloc. Sweden must also avoid links and agreements that might make it difficult or impossible for her to uphold a neutral course in the case of war. This, of course, does in no way prevent the Swedish Government from expressing its opinion on important international issues.

Efforts to strengthen and further international co-operation and solidarity, primarily within the framework of the United Nations have a strong support by the Swedish Government. A multitude of initiatives have been taken in this regard. Swedish military personnel has participated in several UN peace keeping operations such as the Congo, Cyprus, the Middle East, etc. A voluntary United Nations task force has been set up in co-operation between the Nordic countries. Proposals have been submitted to further agreements on arms regulation and disarmament. Mediator roles have been assumed by Swedish diplomats in South

East Asia and the Middle East. Efforts have been made to get development assistance channelled through the international organizations. An efficient world organization capable of guaranteeing peace and forestalling international conflicts by promoting equal political rights and equal economic opportunities among all nations and individuals would, of course, also constitute a powerful safeguard for all small states. Sweden is therefore interested in encouraging all measures aimed at the strengthening of the United Nations.

Three recent trends in international politics have played a significant role in Sweden's foreign policy after the second world war, each of which will be given some consideration. They are, efforts for economic integration in Europe, the rise of new nations in Africa and Asia, and the arms race between the super-powers, the United States and the Soviet Union.

Sweden and the EEC :

In line with her long tradition of a liberal trade policy Sweden has taken an active part in the efforts to end the present division of Western Europe into two trade blocks-EEC and EFTA.

Almost three quarters of Sweden's exports go to the countries of western Europe. The most important task for Swedish trade policy today is to find such solutions to the country's future relations with the enlarged European Communities which would enable Sweden to take part in the future free exchange of goods and economic co-operation all countries in Western Europe. It is also essential that the far-reaching co-operation between the Nordic countries can continue and be further developed within the framework of an overall arrangement in western Europe.

Sweden's present negotiations with the EEC were opened in Brussels on November 10, 1970. On this occasion the Swedish Minister of Trade declared that Sweden wanted to participate in the enlargement of the EEC through comprehensive close and durable relationships having regard to the policy of neutrality. This policy prevents Sweden from becoming a full member of the EEC but not from participating in economic co-operation in most of the fields covered by the Treaty of Rome.

For a more detailed description of Sweden's attitude to the EEC See the Fact Sheet 'Sweden and European Economic Integration' published in April 1971.

Sweden and the New Nations

Another recent trend in international politics of great importance for Sweden's foreign policy is the emergence of the new nations in Asia and Africa. The obvious inclination of the African and Asian states to adopt an independent course of non-alignment is one of several factors which have led to a more positive understanding of a neutral position.

The basic aim in the developing parts of the world must be the growth of viable and stable societies. Sweden has therefore taken great interest in furthering the United Nations assistance to these states—technical, economic, financial, and military if necessary which generally is preferred by the receiving states as having no conditions attached. Furthermore efforts are being made to expand the rapidly direct co-operation between Sweden and the developing countries to assist in the work for economic and social growth.

Sweden and the Arms Race

The arms race between East and West has prompted Sweden to take various diplomatic initiatives in the field of